

UTILITY ADVISORY BOARD POLICY #06-01

Downward Adjustment of Area Calculation for the Determination of Water and Sewer Connection Fees for Residential Development

The area of a residential parcel will be adjusted downward in determining the square footage of a parcel in the calculation of connection fees for the following considerations:

1. Wetlands, as identified and established by the Michigan Department of Environmental Quality (MDEQ). Wetlands that are mitigated (compensated for by establishment of new wetlands in another location) will not be considered for this downward area adjustment.
2. Open lakes and streams, as identified and established by the MDEQ.
3. Recorded conservation easements, which meet the following criteria:
 - The entire area of conservation easement(s) is not less than 10 acres
 - In the case of plats and other multi-family developments, the conservation easement(s) shall be as required or approved by the local planning agency
 - The conservation easement(s) are recorded on the plat documents and with the County Register of Deeds
 - The easement(s) are irrevocable and are granted to and accepted by the Land Conservancy of West Michigan or another similar organization as approved by the Utility Advisory Board.
 - The easement(s) are recorded prior to obtaining permits and beginning construction
4. Detention ponds, which meet the following criteria:
 - Detention pond designed or engineered to serve the plat and/or adjacent areas.
 - Detention pond design must be approved by the municipality.
 - Detention pond covers more than 50% of the lot.
 - Evidence of a recorded or platted easement for the detention pond is shown.
 - Lot area after adjustment shall be no less than the base rate area.

In order to be considered for this downward adjustment, developers of plats, site condominiums or other projects must provide certification of the above areas on plans that are sealed by an engineer licensed by the State of Michigan. The engineer shall also provide the square footage for said area adjustment for each parcel of land. Documentation that the conservation easement(s) have been recorded shall be required.

Owners of single parcels of land shall provide a survey identifying the above features and sealed by a surveyor licensed by the State of Michigan. In the case of wetlands, lakes and streams, the owner may provide other certification in the form of a letter or map from the MDEQ identifying the area on their parcel if a survey is not available.

Connection fees will not be adjusted retroactively under this policy.

Effective date of this policy: UAB Approval February 16, 2006, revised May 18, 2006